

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

NATIONAL TRUST INSURANCE
COMPANY,

Plaintiff,

Case No. 3:18-cv-1440-J-34JBT

vs.

COLUMBIA NATIONAL INSURANCE
CO.,

Defendant.

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ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 53; Report) entered by the Honorable Joel B. Toomey, United States Magistrate Judge, on July 10, 2020. In the Report, Judge Toomey recommends that Plaintiff's *Daubert* Motion to Exclude Expert Testimony of Peter Knowe (Dkt. No. 37; Motion) be denied without prejudice to Plaintiff challenging the admissibility of Mr. Knowe's testimony at trial. See Report at 1, 9. To date, no objections to the Report have been filed, and the time for doing so has passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Report and Recommendation (Dkt. No. 53) is **ADOPTED** as the opinion of the Court.
2. Plaintiff's *Daubert* Motion to Exclude Expert Testimony of Peter Knowe (Dkt. No. 37) is **DENIED without prejudice** to Plaintiff challenging the admissibility of Mr. Knowe's testimony at trial.

DONE AND ORDERED at Jacksonville, Florida, this 31st day of July, 2020.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record